

Laos:

How to Fight a War While Nobody's Looking

WASHINGTON—Senator Stuart Symington of Missouri, who has something of the single-mindedness of the bulldog mascot of Yale, his alma mater, likes to recall how he wanted to go to Laos in 1965, only to be blocked by the American Ambassador in Vientiane. The Ambassador, it seems, did not want a Senator poking around in the clandestine war that the United States was waging there.

Senator Symington eventually got to Laos a couple of years later, and in the past two years he has sent staff investigators from his Senate Foreign Relations subcommittee to that isolated Indochinese country. Last week, before an unusual secret session, Mr. Symington presented to the Senate the first detailed, comprehensive report on how the United States got involved in a clandestine war in Laos without the knowledge, much less the consent, of Congress.

Out of the Symington report emerged these principal facts about the American involvement in a war between the Royal Laotian Government on the one side and the pro-Communist Pathet Lao and North Vietnamese troops on the other:

- The United States is spending at least \$350-million annually in military and economic assistance to the Royal Laotian forces. The Administration has publicly acknowledged only some \$52-million in economic aid.

- For nearly 10 years, American planes based in Thailand have been providing combat air support in northern Laos. In the past year, increasing reliance has been placed on the saturation tactics of B-52 bombers, raising a question in some quar-

ters of Congress as to whether American bombing is not contributing to the flow of refugees. They now total at least 700,000 Laotians out of a population of fewer than 3 million.

- On White House orders going back to the Kennedy and Johnson Administrations, the Central Intelligence Agency has been supporting a paramilitary force of at least 30,000 mountain tribesmen. With the Meo tribesmen decimated by heavy fighting in the past two years, Thais, now numbering 4,800, have been recruited with United States financial assistance to supplement the paramilitary force.

The Symington report was enough to force a public acknowledgment by the State Department that the United States was giving support to some "ethnic Laotians" from Thailand and "some Thais" who were fighting in Laos. But the way the State Department described it, they were just "volunteers"—the department took deep umbrage at use of the word "mercenaries"—who were in Laos at "the request" of Prime Minister Souvanna Phouma.

Fulbright's Comments

"A misrepresentation of the facts," sputtered Senator J. W. Fulbright, chairman of the Senate Foreign Relations Committee. The "volunteers," he said, "are recruited in Thailand," given "special privileges" for going to Laos and "are under the immediate tactical command of Thai officers."

The Laos issue is becoming another test case in the foreign-policy power struggle between the Executive Branch and the Senate. What brought this issue to a head was the introduction of the Thai "volunteers"—an action that may violate the spirit, if not the letter, of an "anti-mercenary" amendment by Senator Fulbright that was incorporated into this year's Defense Appropriations Bill.

The Fulbright amendment provides that no defense funds can be used "to support Vietnamese or other free-world forces in actions designed to provide military support and assistance to the Governments of Cambodia or Laos." The amendment contains an escape clause that says that such support is permissible if required to insure the safe withdrawal of American

forces from Indochina.

At one point, in a letter to Senator Edward M. Kennedy, the State Department argued that the President's authority to engage in a war in northern Laos was based upon Mr. Nixon's powers as Commander-in-Chief to take reasonable "measures" to carry out the withdrawal of troops.

But that was not the justification offered by the State Department for the recruitment of the Thai "volunteers." Rather, its justification was that the Nixon Administration had inherited a program "initiated" by the Kennedy Administration and which "evolved" in the two succeeding Administrations. Since this program of "volunteers" was already in effect, the department argued, it was not banned by the Fulbright amendment.

Legislative Haymaker

The more the State Department weaved and bobbed with its legal justifications, the more apparent it was that the Executive Branch was on the defensive about continuing surreptitious military activities in Northern Laos. And now Senator Symington is about to throw his legislative haymaker. He plans to introduce this week an amendment to the Defense Procurement Bill—an amendment stipulating that no more than \$200-million can be spent annually for military and economic activities in Laos without Congressional consent.

With that limit, virtually all the secret military activities would have to come to an end. Win or lose with his amendment, Senator Symington will have forced the secret war out into the open — and that has been one of his objectives ever since an Ambassador said he couldn't visit Laos.

—JOHN W. FINNEY